



## United States Department of the Interior Fish and Wildlife Service



Bloomington Field Office (ES)  
620 South Walker Street  
Bloomington, IN 47403-2121  
Phone: (812) 334-4261 Fax: (812) 334-4273

February 9, 2010

Ms. Verneta Simon (SRML-6J)  
U.S. Environmental Protection Agency  
77 W. Jackson Blvd  
Chicago, Illinois 60604

EPA Region 5 Records Ctr.



353264

Dear Ms. Simon:

This responds to your email of February 1, 2010 requesting U.S. Fish and Wildlife Service (FWS) review of a proposed remediation plan for Western Tar in Vigo County, Indiana.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

### Endangered Species

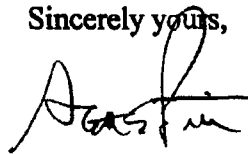
The proposed project is within the range of the federally endangered Indiana bat (*Myotis sodalis*). Indiana bats hibernate in caves, then disperse to reproduce and forage in relatively undisturbed forested areas associated with water resources during spring and summer. Recent research has shown that they will inhabit fragmented landscapes with adequate forest for roosting and foraging. Young are raised in nursery colony roosts in trees, typically near drainage ways in undeveloped areas. Like all other bat species in Indiana, the Indiana bat diet consists exclusively of insects.

There is suitable summer habitat for this species present throughout the area surrounding the project site. There are no current records of Indiana bats near the site but to our knowledge the area has not been surveyed. The project will not eliminate enough habitat to affect this species, but to avoid incidental take from removal of an occupied roost tree we recommend that tree-clearing be avoided during the period April 1 - September 30. If this measure is implemented we concur that the proposed project is not likely to adversely affect this listed species.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. However, should new information arise pertaining to project plans or a revised species list be published, it will be necessary for the Federal agency to reinitiate consultation.

For further discussion, please contact Mike Litwin at (812) 334-4261 ext. 1205.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Scott E. Pruitt", written over the printed name.

Scott E. Pruitt  
Field Supervisor

cc: Edward Karecki, USFWS, Barrington, IL